

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:23-cv-00018-MR-WCM**

PAKUJA CRYSTAL VANG,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
)	
CATAWBA MEDICAL CENTER, et al.,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on the Plaintiff's letter [Doc. 5], which the Court construes as a motion to amend the Complaint.

On February 9, 2023, the Court entered an Order dismissing this action and directing the Plaintiff to show cause within fourteen (14) days as to why a pre-filing review system should not be imposed. [Doc. 3]. On February 24, 2023, the Plaintiff mailed a packet to the Clerk's Office, containing a cover letter, which states as follows:

I would like to amend my case in Vang v. Catawba Medical Center 1:23-cv-00018-MR-WCM that was closed on February 9, 2023. Hopefully I fixed it correctly.

I would like to amend my past case¹ because I realize I forgot to put one small box which is my seventh amendment for jury trial and I keep accidentally forgetting to check it. I should have my constitutional right for a jury and not base it on a judge who can lack judgment. Some judges can be unethical and have misconduct. I realize that tiny mistakes can cause hardship for me and I didn't realize it until now.

[Doc. 5 at 1]. Attached to the Plaintiff's letter are the following documents:

(1) a Complaint, which does not include any defendants in the caption, but names Michael O Neil Waters as a defendant within the body of the Complaint [Doc. 5-1]; (2) a Complaint for employment discrimination against Valdese Weaver, asserting a claim under the American with Disabilities Act of 1990 [Doc. 5-2]; (3) a thumb drive labeled "Pakuja Crystal Vang's USB for cases everything" [Doc. 5-3]; and (4) four completed Applications to proceed *in forma pauperis* [Docs. 5-4, 5-5, 5-6, 5-7].

While acknowledging the Court's February 9, 2023 Order [see Doc. 5 at 1], the Plaintiff has not in any way responded to the Court's order to show cause as to why a pre-filing review system should not be imposed. The Plaintiff's current batch of filings demonstrates exactly why such a system is necessary. The Plaintiff purports to seek leave to file an Amended Complaint

¹ The Plaintiff does not identify which of her other seven civil actions she is referring to in this letter.

in this action. The Plaintiff's original Complaint named 37 defendants, most of whom appear to be medical providers, purporting to assert claims under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), 42 U.S.C. § 1983, and the Americans with Disabilities Act of 1990. [Doc. 1]. In the two proposed Complaints she attaches to her letter, the Plaintiff does not identify any of these 37 defendants; rather, she names Michael O Neil Waters and Valdesse Weaver as defendants. The Plaintiff already attempted to assert claims against Mr. Waters in Civil Case No. 1:22-cv-00231-MR-WCM. That action was dismissed with prejudice as frivolous with respect to Mr. Waters, as it appears that the Plaintiff named him only because the Clerk's Office mistakenly sent Plaintiff a copy of an Order directed to Mr. Waters from an entirely different case. [Civil Case No. 1:22-cv-00231-MR-WCM, Doc. 4 at 5]. As for the Plaintiff's action against Valdesse Weaver, the Plaintiff has already filed at least three separate actions against this Defendant, raising similar claims. Two of those civil actions are currently on appeal and are pending in the Court of Appeals for the Fourth Circuit. [See Civil Case Nos. 1:22-cv-00119-MR-WCM, 1:22-cv-00251-MR].

The Plaintiff continues to assert frivolous and repetitive claims, all of which have already been addressed and/or dismissed in her seven other civil actions. For this reason, and for all of the reasons set forth in the Court's

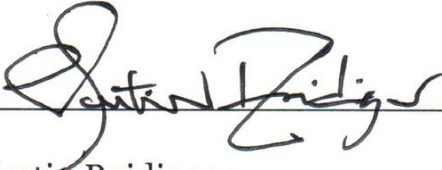
prior Order [Doc. 3], the Court will direct that all documents submitted by the Plaintiff in the future will be pre-screened by the Court for content. Any proposed filings that are not made in good faith or which lack substance or merit will be returned to the Plaintiff without further explanation. Such a review system “will allow Plaintiff to have access to the Courts for [her] legitimate concerns, but will prevent [her] from usurping the Court’s resources with [her] baseless submissions.” Vandyke v. Francis, No. 1:12-CV-128-RJC, 2012 WL 2576747, at *3 (W.D.N.C. July 3, 2012).

IT IS, THEREFORE, ORDERED that the Plaintiff’s letter [Doc. 5], which the Court construes as a motion to amend the Complaint, is **DENIED**.

IT IS FURTHER ORDERED that a pre-filing review system is hereby imposed, and all documents submitted by the Plaintiff in the future, whether in this case or in any other action filed in this District, will be pre-screened by the Court for content. Any proposed filings that are not made in good faith or which lack substance or merit will be returned to the Plaintiff without further explanation.

IT IS SO ORDERED.

Signed: March 12, 2023



Martin Reidinger
Chief United States District Judge

